

Petition 12-15



TOWN OF ELSMERE

APPEAL TO THE BOARD OF ADJUSTMENT

Any person directly affected by a decision of the Code Enforcement Official or a notice or order issued under this Code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is filed within (20) twenty days after the day the decision, citation, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under has been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the Code: 1) provides the same or better protections than what the Code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the Code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the Code as written or permit the proposed alternative action.

Date This appeal was filed: 5-30-2012

Tax Parcel Number: 1900400680

Date of the Original Action: 5-18-2012

Subject Property Address: 270 Birch Avenue
Elsmere, DE 19805

Property Owner's Name: Melcher-Covey Properties, LLC

Property Owner's Address: 6 Radka Drive
Newark, DE 19702

Phone Number: 302-379-3351 Kathy Melcher

Applicant's Name: Kathy Melcher for Melcher-Covey Properties, LLC

Applicant's Address: 6 Radka Drive Newark, DE 19702

Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number, Etc.)

Violation #V2-00079

Applicant's Signature: Kathy Melcher

Date: 5-30-2012



THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

*****CITATION*****

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

RESPONSIBLE PARTY Melcher-Covey Properties LLC 6 Radka Dr Newark, DE 19702	VIOLATION #	V2-00079
	OFFICER	Daniel Reed
	VIOLATION DATE	05-18-2012
	PROPERTY ADDRESS	270 Birch Ave Wilmington, DE 19805
	ABATEMENT DATE	05-25-2012

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches.	IPMC 2000 302.4	06/17/2012	\$50.00



*****CITATION INFORMATION*****

In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.

You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.

ABATEMENT COST

If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.

Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.

The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due Date". Additionally if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary you will be responsible for the payment of all abatement costs incurred by the Town. Failure to pay the "Amount Due" and any abatement costs assessed shall give rise to a lien on the property pursuant to Title 25, Chapter 29, of the Delaware Code. You must pay this civil penalty of \$50.00 by the "Due Date" of this citation, even if the violation has been corrected.

Please return this section with your payment.

DUE DATE	PARCEL NUMBER	VIOLATION NUMBER	AMOUNT DUE
06/17/2012	1900400660	V2-00079	\$50.00

Make Checks Payable To:
Mail Your Payment To:

The Town of Elsmere
The Town of Elsmere
Finance Department
11 Poplar Avenue
Elsmere, DE 19805

- Each 24-hour period that the condition giving rise to this citation continues will be subject to a separate citation and an additional civil penalty in the amount of \$50.00.
- You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation. MEANS OF APPEAL SHOWN ON THE BACK.

TOWN OF ELSMERE

11 POPLAR AVE
ELSMERE, DE 19805
ATTN: CRAIG HANNA
TEL: (302)998-2215
FAX: (302)998-9920

EXT: 104

EXHIBIT

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12-15 B

INVOICE NO.

I2-01725

INVOICE DATE: 05/21/12

DUE DATE: 06/20/12

CUSTOMER #: P-000150

MELCHER-COVEY PROPERTIES, LLC
6 RADKA DR
NEWARK, DE 19720

VIOLATION INFORMATION

VIOLATION ID: V2-00079

LOCATION: 270 BIRCH AV

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 270 Birch Ave 2000 IPMC 302.4 High Grass/Weeds	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE
11 POPLAR AVE
ELSMERE, DE 19805

MELCHER-COVEY PROPERTIES, LLC
6 RADKA DR
NEWARK, DE 19720

Invoice Id: I2-01725

Customer Id: P-000150

Due Date: 06/20/12

Total Due: 50.00





